

REMARKS

Claims 1-19 are pending in the application. Reconsideration of the present application is respectfully requested.

The Examiner rejected claims 1 to 19 under 35 U.S.C. §103(a) as being anticipated by Itakura et al. (U.S. 6,278,873B1) in view of Bolanos (U.S. 6,926,144A). These rejections are respectfully traversed.

Applicant respectfully points out, as stated above, that neither Itakura et al. nor Bolanos, taken either alone or in combination, discloses the wearable device of claim 1. Thus, the combination of Itakura and Bolanos does not teach or suggest claim 1 or claims 2 to 19, which depend therefrom.

Claim 1 clearly claims a loop antenna wherein the first plane is substantially coplanar with the second plane. It should be noted in particular that the “second plane” in claim 1 refers to a plane in which the loop of the loop antenna is disposed.

The Examiner concedes that Itakura fails to teach a loop antenna wherein the first plane is substantially coplanar with the second plane. The Examiner cites Bolanos for teaching this feature. The Examiner further states that Bolanos does teach that part of the loop antenna (see Figure 5 and 6, item 426) is planar with the circuit substrate.

Applicant respectfully suggests that Bolanos does not disclose a loop antenna wherein the first plane is substantially coplanar with the second plane. Element 426 in Figures 5 and 6 of

Bolanos is an internal ground plane (see col. 4, line 5). Therefore, element 426 in Bolanos is not a part of the loop of the loop antenna. Regardless, it is not relevant in any way to the present invention as claimed even if Bolanos teaches that a single part (such as item 426) of the loop antenna other than the actual loop itself was planar with the plane of the circuit substrate.

Furthermore, in Bolanos, the loop of antenna 302 starts from one connection tab 424, continues through parts 418, 420, 416, 422 and 418, respectively, and ends at another connection tab 424 (see col. 3, lines 29-47). The loop of antenna 302 can not substantially be considered as being disposed in a plane, since the loop is not planar but extends in all three dimensions (see Figure 4). Moreover, even if the loop (i.e. parts 418, 420, 416, 422 and 418, respectively) comprised by antenna 302 was considered as disposed in a plane, such a plane would be vertical (see Figures 4 and 7), whereas the circuit board 406 is clearly disposed on a horizontal plane in Figures 4 and 7. As such, a plane of the loop between connection tabs 424 of antenna 302 is in fact substantially perpendicular to the plane of the circuit board 406, and not coplanar. Therefore, Bolanos fails to teach a first plane being substantially coplanar with a second plane.

Since the combination of Itakura and Bolanos does not disclose or suggest all the limitations of claim 1, it does not render obvious claim 1. Claims 2 to 19, which depend directly or indirectly from claim 1 and add further features thereto are not obvious for at least the reasons discussed with respect to claim 1. Accordingly, the rejections under 35 U.S.C. § 103(a) of claims 1 to 19 should be withdrawn and claims 1 to 19 should be allowed.

Conclusion


In view of the foregoing, Applicant respectfully submits that all claims presented in this application are currently in condition for allowance. Accordingly, Applicant respectfully requests favorable consideration and that this application be passed to allowance.

Should any changes to the claims and/or specification be deemed necessary to place the application in condition for allowance, the Examiner is respectfully requested to contact the undersigned to discuss the same.

A petition for a one-month extension of time is filed herewith. Applicant's representative believes that this response is being filed in a timely manner. In the event that any extension and/or fee is required for the entry of this amendment the Commissioner is hereby authorized to charge the fee to Deposit Account No. 50-0518 in the name of Steinberg & Raskin, P.C.

An early and favorable action on the merits is earnestly solicited.

Respectfully submitted,
STEINBERG & RASKIN, P.C.

By: 
Dona C. Edwards
Reg. No. 42,507

Steinberg & Raskin, P.C.
1140 Avenue of the Americas
New York, New York 10036
(212) 768-3800